

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Foo et al.  
Serial No. : 09/682,685  
Filed : October 5, 2001  
For : *Efficient Multi-Slice Acquisition With  
Black Blood Contrast In Fast Spin Echo  
Imaging*  
Group Art No. : 3737  
Examiner : Smith, Ruth S.

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**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

**37 CFR 1.8(a)**

**37 CFR 1.10**

- ☐ with sufficient postage as first class mail      ☐ As "Express Mail Post Office to Addressee" Mailing Label No. **Transmission**  
☒ transmitted by facsimile no: 571-273-8300 to **Brian L. Casler, Director/SPE of Examining Group 3737** at the Patent and Trademark Office.

Date: November 29, 2006

/Stephen J. Gardner/  
Signature

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Director/SPE of Examining Group 3737 – Brian L. Casler

**PETITION UNDER 37 C.F.R. 1.183**  
**REQUESTING WAIVER OF REQUIREMENTS OF 37 C.F.R. §1.48(a) AND**  
**DECLARATION IN SUPPORT THEREOF**

Applicant hereby petitions, pursuant to 37 C.F.R. §1.183, for waiver of the requirement under 37 C.F.R. §1.48(a) that a petition to correct inventorship must include a statement of a lack of deceptive intent from each inventor to be deleted.

**REMARKS**

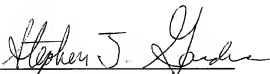
Applicant is presently unable to locate inadvertently-listed inventors Tin-Su Pan and H. David He to obtain such statements. Since Applicant believes that Tin-Su Pan and H. David He are likely unaware that they have mistakenly been listed as inventors for the present application, Applicant believes that an extraordinary situation exists in which justice would be served by permitting Applicant to file a petition to correct inventorship without statements of deceptive intent from Tin-Su Pan and H. David He.

Included herewith, please find a Declaration of Atty. Stephen J. Gardner in support of this petition for waiver of the requirement of § 1.48(a).

**DECLARATION**

I, Stephen J. Gardner, being duly sworn, depose and say:

1. That I am an Attorney of Record for the above-identified Patent Application;
2. That I attempted to contact Tin-Su Pan via an email address and via telephone, but was unsuccessful.
3. That I attempted to contact H. David He via telephone, but was unsuccessful.
4. That I contacted representatives of the Assignee, including inadvertently-listed inventor Steven Woloschek, concerning current contact information for Tin-Su Pan and H. David He, but have been unable to find them.
5. Attached as Exhibit A is a copy of email correspondence made in an attempt to locate Tin-Su Pan and H. David He.
6. That the statements made herein are of my own knowledge and are true and made on information and belief that is believed to be true.

  
 Stephen J. Gardner

Dated: November 29, 2006

## EXHIBIT A

2006.11.28 Lynn Darnell RE Missing GE Inventors.txt  
Missing GE InventorsFrom: Darnell, Lynn (GE Healthcare) [REDACTED]  
Sent: Tuesday, November 28, 2006 8:54 AM  
To: Steve Gardner  
Subject: RE: Missing GE Inventors

Hi Steve,  
If the third inventor does not have contact information I would file a waiver. I do not have any way of locating past employees.  
Thanks,  
Lynn

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From: Steve Gardner [mailto:sjg@zpspatents.com]  
Sent: Monday, November 27, 2006 4:05 PM  
To: Darnell, Lynn (GE Healthcare)  
Subject: Missing GE Inventors

Hi Lynn,

I'm trying to track down two inventors who I suspect may have left GE. Tin-su Pan and David He were co-inventors on docket no. 15-CT-6105 / GEMS8081.099 (System and Method of Imaging Using a Variable Speed Table for Thorax Imaging). I have already been in touch with the third inventor, Steve Woloschek, but he hasn't come up with any contact information.

I'm just checking to see if you have any forwarding information or if you know of anyone else who may. I would like to file a waiver for their signatures if we absolutely can't find them.

Thanks,  
Steve Gardner

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From: Steve Gardner  
Sent: Friday, November 17, 2006 2:06 PM  
To: 'tinsu.pan@med.ge.com'; [REDACTED]  
Subject: GEMS Patent Application

Steve and Tin-su,

After the patent application on your "variable-speed table for thorax imaging" invention was filed, the declaration you signed for your invention was inadvertently copied into the filing submission for a subsequent GEMS patent application. Thus, at present, you are mistakenly listed as the inventors of another invention. Per the patent regulations, in order to correct this subsequent patent application, I must include a statement from you attesting that this mistake was not done with any deceptive intent on your part. Please read the attached statement, and if you agree with it, sign it and fax or email it to me. You may sign and send copies individually - you do not have to all sign the same sheet.

Also, we no longer have an email address for David He. If you are aware of his email address, or know someone who may be aware of it, please inform me.

Thank you for your assistance with this matter.

Steve Gardner  
<<2006.11.20 Statement of Deleted Inventors.doc>>  
Stephen J. Gardner, CE JD  
Ziolkowski Patent Solutions Group, SC  
136 South Wisconsin Street  
Port Washington WI 53074

2006.11.28 Lynn Darnell RE Missing GE Inventors.txt

Phone: 262-268-8100, Ext 17

Fax: 262-268-8185

sjg@zpspatents.com

\* \* \* \* \* CONFIDENTIALITY NOTICE \* \* \* \* \*

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2006.11.17 Undeliverable GEMS Patent Application.txt  
From: System Administrator [postmaster@gecapital.com]  
Sent: Friday, November 17, 2006 2:06 PM  
To: Steve Gardner  
Subject: Undeliverable: GEMS Patent Application

Attachments: GEMS Patent Application

Your message

To: tinsu.pan@med.ge.com; steven.woloschek@med.ge.com  
Subject: GEMS Patent Application  
Sent: Fri, 17 Nov 2006 15:05:52 -0500

did not reach the following recipient(s):

TINSU.PAN@MED.GE.COM on Fri, 17 Nov 2006 15:05:48 -0500

The recipient name is not recognized

The MTS-ID of the original message is:

c=us;a=mark400;p=ge;l=IMC0611172005WVNS13V8

MSEXCH:IMS:GE:ALPHARETTA:CIN01SSBHMAILGE 0 (000C05A6) Unknown Recipient